

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Attorneys for Movant

Toyota Motor Credit Corporation



Order Filed on January 19, 2018
by Clerk U.S. Bankruptcy Court
District of New Jersey

In Re:

Pradip DasGupta and Denice L DasGupta

Debtors

Case No.: 17-32447 JNP

Adv. No.:

Hearing Date: 02/21/2018 at 9 AM

Judge: Jerrold N. Poslusny, Jr.

**ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S OBJECTION
TO DEBTOR'S CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED

DATED: January 19, 2018

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

(Page 2)

Debtor: Pradip DasGupta and Denise L DasGupta

Case No: 17-32447 JNP

Caption of Order: ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S
OBJECTION TO DEBTOR'S CHAPTER 13 PLAN

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, the holder of a lien on Debtor's vehicle, a 2013 TOYOTA HIGHLANDER ,VIN: 5TDBK3EH2DS237496, Rebecca A. Solarz appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for the Secured Creditor and Seymour Wasserstrum, Esq., attorney for Debtors, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor's lien shall be paid in full through Debtor's Chapter 13 plan at an interest rate of 5.25%; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the total due to Secured Creditor, including interest, shall be \$37,818.00, consisting of the total due at filing of \$33,198.44 and \$4,619.56 in interest that will accrue during the course of Debtors' Chapter 13 plan over 60 months;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that if the length of Debtors' plan, the interest due under the plan will be adjusted accordingly, and this order is subject to amendment; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Debtors shall maintain insurance on the vehicle in accordance with the terms of the loan documents during the entirety of this case and shall furnish proof of same annually and upon request;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Toyota Motor Credit Corporation's lien shall remain on the subject vehicle until Debtors have completed all plan payments and receive a discharge in this case; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** Toyota Motor Credit's lien will only be released upon the Debtors' receipt of their discharge and completion of their Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the lien; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the lien shall be released and extinguished upon the successful completion of the Debtors' Chapter 13 plan; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Toyota Motor Credit

Corporation shall file a release of the lien within 30 days of the date of the service of Debtors' discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that in the event Toyota Motor Credit Corporation fails to discharge the mortgage within the prescribed period, the Debtors and/or Debtors' counsel may file a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Toyota Motor Credit Corporation's objection to confirmation is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Pradip DasGupta
Denice L DasGupta
Debtors

Case No. 17-32447-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jan 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 21, 2018.
db/jdb +Pradip DasGupta, Denice L DasGupta, 233 E. Collings Dr., Williamstown, NJ 08094-2553

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 21, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 19, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
James Patrick Shay on behalf of Creditor WELLS FARGO BANK, N.A. james.shay@phelanhallinan.com
John R. Morton, Jr. on behalf of Creditor Ally Capital ecfmil@mortoncraig.com,
mortoncraigecf@gmail.com
Nicholas V. Rogers on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation
rsolarz@kmlawgroup.com
Seymour Wasserstrum on behalf of Debtor Pradip DasGupta mylawyer7@aol.com, ecfs@seymourlaw.net
Seymour Wasserstrum on behalf of Joint Debtor Denice L DasGupta mylawyer7@aol.com,
ecfs@seymourlaw.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9